



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

h3

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,273	03/03/2004	Takeshi Hirose	1046.1313	8945

21171 7590 12/31/2007
STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

AU, SCOTT D

ART UNIT	PAPER NUMBER
----------	--------------

2612

MAIL DATE	DELIVERY MODE
-----------	---------------

12/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/791,273

Applicant(s)

HIROSE, TAKESHI

Examiner

Scott Au

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-8,10,12,13,15-17 and 20-23 is/are rejected.
- 7) ☒ Claim(s) 2,5,9,11,14, and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed on October 12, 2007 with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Claims 1-23 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-4, 6-7, 10, 12-13, 15-16, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeishi Kazuhiro (# 2001-142557) in view of Nakamura Koki (JP# 2000-197166).

Referring to claim 1, Takeishi discloses a power source control device for an electronic device (12) (i.e. personal computer), comprising:
a storage unit (18) (i.e. storage section) storing condition information about conditions for supplying electric power to the electronic device;

a receiving unit receiving (16) (i.e. receive section), via a communication path from a power source remote control device (11) (i.e. infrared transmitter) of said electronic device (12) (i.e. personal computer), condition judging information (17) (i.e. signal correlation circuit) for judging whether the conditions are met or not and a power supply command to said electronic device (12) (i.e. personal computer), the power source remote control device (11) (i.e. infrared transmitter) having a transmitting function to the power source control device of electronic device (12) (i.e. personal computer); a judging unit 17) (i.e. signal correlation circuit) judging whether the conditions are met or not by use of the condition judging information received by said receiving unit (16) (i.e. receive section) and the condition information stored on the storage unit (18) (i.e. storage section); and

a supply unit (19) (i.e. power-source circuit section) controlling, in a case where said judging unit judges that the conditions are met, a power source of said electronic device so that said electronic device is supplied with the electric power (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

However, Takeishi did not disclose the infrared transmitter (11) have a receiving function.

In an analogous art, Nakamura disclose a wrist watch (1) having a transmitting and receiving sections is used to activate a personal computer 50 when the received password match the one stored in memory (i.e. English translation copy, see Abstract, paragraphs [0024-0030]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to have the wrist watch having transmitting and

receiving sections into Takeishi transmitter device 11 with the motivation for doing so would allow the desired communication between the devices.

Referring to claim 3, Takeishi in view of Nakamura disclose the device of claim 1, Takeishi discloses wherein said storage unit stores collation source information as the condition information, said receiving unit receives collation object information as the condition judging information from said power source remote control device, and said judging unit, in a case where the collation source information is coincident with the collation object information, judges that the conditions are met (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claim 4, Takeishi in view of Nakamura disclose the device of claim 3, Takeishi discloses wherein the collation source information (i.e. password) contains identifying information of said electronic device (12) (i.e. personal computer) (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claims 6-7, Takeishi in view of Nakamura disclose the device of claim 3, Takeishi discloses wherein the collation source information contains authenticating information of a user contains a password designated by a user of said electronic device (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claim 10, Takeishi in view of Nakamura disclose the power source control system for an electronic device, to the extent as claimed with respect to claim 1 above. Nakamura disclose the wrist watch 1 including: a condition judging information storage unit storing the condition judging information; an input unit; and a transmitting unit transmitting, in a case where a power supply command to said electronic device is inputted from said input unit, the power supply command and the condition judging information stored on said condition judging information storage unit to said power source control device via the communication path (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claim 12, Takeishi in view of Nakamura disclose the method of claim 10, Takeishi discloses wherein said condition information storage unit stores collation source information as the condition information, said receiving unit receives collation object information as the condition judging information from said power source remote control device, and said judging unit, in a case where the collation source information is coincident with the collation object information, judges that the conditions are met (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claim 13, Takeishi in view of Nakamura disclose the method of claim 12, Takeishi discloses wherein the collation source information (i.e. password) contains identifying information of said electronic device (i.e. personal computer) (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claims 15-16, Takeishi in view of Nakamura disclose the method of claim 13, Takeishi discloses wherein the collation source information contains authenticating information of a user contains a password designated by a user of said electronic device (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claims 15-16, Takeishi in view of Nakamura disclose the method of claim 13, Takeishi discloses wherein the collation source information contains authenticating information of a user contains a password designated by a user of said electronic device (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claims 20, Takeishi in view of Nakamura disclose the method of claim 10, Takeishi discloses wherein said power source remote control device (11) (i.e. portable transmitter) has a portable box body provided with said condition judging information storage unit, said input unit and said transmitting unit, and said transmitting unit transmits the power supply command and the condition judging information to said power source control device in a non-contact communication (i.e. English translation copy, see Abstract and paragraphs [0010-0020]).

Referring to claims 21, 22, and 23, Takeishi in view of Nakamura disclose the system and method in claims 1 and 10, claims 21, 22, and 23 equivalent to that the combine of claims 1 and 10 addressed above, incorporated herein. Therefore, claims 21, 22, and 23 are **rejected for the same reasons given** with respect to claims 1 and 10 combined.

Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeishi Kazuhiro (JP# 2001-142557) in view of Nakamura Koki (JP# 2000-197166) applied to claims 6 and 15, and further in view of Kuniyama Yuusaku (JP# 04-348408).

Referring claims 8 and 17, Takeishi in view of Nakamura disclose the device and system of claims 6 and 15. However, Takeishi in view of Nakamura did not explicitly disclose wherein the authenticating information of the user contains biometrics information of the user.

In an analogous art, Kuniyama discloses the authenticating information of the user contains biometrics information of the user (i.e. English translation copy, see Abstract). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to have biometrics information as user input into Takeishi-Nakamura system as an alternative of using a password codes input.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeishi Kazuhiro (JP# 2001-142557) in view of Nakamura Koki (JP# 2000-197166) applied to claims 6 and 15, and further in view of Nishimaur Genrou (US# 10-155722).

Referring to claim 19, Takeishi in view of Nakamura disclose the system of claim 10. However, Takeishi in view of Nakamura did not explicitly disclose regulation means for regulating actions, to which a power supply instruction and a stop instruction are applied' and 'a canceling means for canceling a regulation in the case where it is judged that cancellation conditions are satisfied.

In an analogous art, Nishimaur teaches an interlock means for refraining from accepting an input to a switch and cancellation of the interlock means when sensor has detected any abnormality (i.e. see English translation, paragraphs [0005-0006 and 0014]. Both Takeishi and Nishimaur are intended to solve problem in the power startup apparatus. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to have an interlock means for refraining from accepting an input to a switch and cancellation of the interlock means when sensor has detected any abnormality into Takeishi-Nakamura system with the motivation for doing so would the prevent the carry-out of a undesired function.

Claim Objections

Claims 2, 5, 9, 11, 14, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Referring to claims 2 and 11, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations that "the power supply controller having a notifying means for notifying the condition judging information corresponding to the condition information stored in a storage device, to a power supply remote controller, in the case where it receives an instruction to stop the power supply to an electronic apparatus from a power supply remote control means".

Referring to claims 5 and 14, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations that "the identification information of an electronic apparatus includes the end time of the electronic apparatus".

Referring to claims 9 and 18, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations that "the collator information includes (1) the identification information of an electronic apparatus notified to a power supply remote controller as information to be collated and (2) the authentication information of a user, received from the power supply remote controller and used also as the information to be collated".

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Au whose telephone number is (571) 272-3063. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached at (571) 272-3059. The fax phone numbers for the organization where this application or proceeding is assigned are (571)-273-8300.


BENJAMIN C. LEE
PRIMARY EXAMINER